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MARGOLIS ASSOC
POWER ENERGY FUELS
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APP. No. 09/887,692

PTO-892 (09-03)

ASSTED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Patent Term Extension Act of 1988, no term extension is granted to a holder of a terminal disclaimer to obviate a double patenting
TERMINAL DISCLAIMER TO OBLVIAE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

Docket Number (Optional)
P4136-DIV 2

In re Application of: Eugene Jackson, et al.
Application No.: 09/887,692
Filed: 06/18/01

A NOVEL METHOD FOR PRODUCTION OF MIXED ALCOHOLS FROM SYNTHETIC GAS

The owner, PowerEnercat, Inc. of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 164 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,248,796. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 164 and 173 of the prior patent, as presently shortened by any terminal disclaimer. In the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is released, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PowerEnercat, Inc.

by Eugene R. Jackson 01/08/04
Eugene R. Jackson, President
Date

Eugene R. Jackson, President

Typed or printed name

303-205-1991

OFFICIAL

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) of \$55.00 is authorized to be charged to Deposit
Account No. 131705. Donald V. Margolis 01/08/04 RECEIVED
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Statement under 37 CFR 3.7(b) is required. This disclaimer is signed by the assignee (owner).
Form PTO-892B may be used for making this correction. See MPEP § 304.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to be had by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 123 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22204-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22204-1450.

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